



Yuma Sector Border Barrier Remediation Plan DoD 284 Funded Projects Stakeholder Feedback Report

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1. Introduction and Background

In response to Presidential Proclamation No. 10142 entitled, Termination of Emergency With Respect to the Southern Border of the United States and Redirection of Funds Diverted to Border Wall Construction, Department of Defense (DoD) has canceled all undertaken border barrier projects funded by 10 U.S.C. § 284 Counter Narcotics (284 projects).

On June 11, 2021, the Department of Homeland Security (DHS) completed plans for the redirection of funds concerning the southern border barrier, as directed by Presidential Proclamation No. 10142. The DHS plan provides for use of prior year border barrier appropriations to fund close-out and remediation work at the former 284 project sites turned over to DHS.

Since the termination of the DoD projects, DHS has been working to implement the close-out and remediation component of its plan, including assessing the statuses and conditions of the project sites to determine the scope and extent of this work.

DHS intends to prioritize funding on those close-out and remediation activities needed to address life and safety, including the protection of the public, U.S. Border Patrol (USBP) agents, and nearby communities from potential harms, and avert further environmental damage or degradation.

The incomplete DoD 284 border barrier construction projects located in USBP's Yuma Sector spanned approximately 15 miles in Imperial County, California and Yuma County, Arizona.

On April 21, 2022, CBP released its Yuma Sector Border Barrier Remediation Plan for public comment. The public comment period closed on May 20, 2022. The Remediation Plan described the proposed close-out and remediation activities which include, but are not limited to, the following: installation of erosion control measures, completion of safety work on border and access roads, revegetation of disturbed areas, drainage completion and repair, and gate and gap closure. Comments collected during the comment period will be used to prioritize and inform the Scope of Work for the close-out and remediation projects.

1.1 Purpose of this Report

The purpose of this report is to summarize the input received during the public comment period to provide stakeholders and the public transparency into the issues that will be



considered during the planning of the border barrier remediation projects. It does not present individual comments received or provide responses to the comments.

2. Public Input Process

From April 21, 2022 to May 20, 2022, input was collected regarding actions needed to address life and safety issues, project priorities, and best practices. CBP sent informational materials to federal, state, and local agencies, environmental non-governmental organizations, and tribes to solicit input. The notification and informational materials (Appendix A) were also posted online.

Comments were collected through e-mail, mail, phone, and ArcGIS StoryMap. In addition, CBP coordinated extensively with land management agencies prior to the comment submission period. CBP staff plan to continue meeting with stakeholders throughout the process to ensure all remediation input is considered.

2.1 Public Feedback Review

Members of the Infrastructure Portfolio team reviewed all comments received during the comment period, responded to comments as appropriate, and prepared this report to summarize public input. The comment review was conducted based on explicit concerns; comments that were not specific or contained vague statements were not interpreted by the reviewers. Comments that provided substantive information were further assessed by CBP.

3. Summary of Public Feedback

All comments received by CBP have been reviewed and categorized. A total of 13 comments was received during the comment period, of which eight were received via email and five were received via StoryMap; all were considered to be unique. It can be assumed that individuals who commented on the StoryMap left multiple comments but identifying information about the commenter was not requested nor was it provided. Therefore, the following summary refers to the number of comments received as compared to the number of commenters. As the comments were received, they were reviewed and categorized by their primary topic. If a comment included substantive information on multiple topics, it was included in each relevant category.

The following summarizes the considerations provided by the public during the comment period. CBP identified 12 topic categories within the received comments.



3.1 Habitat and Wildlife

Four comments noted concern about long-term impacts of the border barrier on the survival and habitat connectivity of various plant and animal species. Some commenters suggested leaving flood gates open or replacing flood gates with vehicle barrier to allow for animal crossing. Other commenters suggested installing small wildlife passages into the barrier.

3.2 Restoration of Disturbed Areas

Six comments stated concerns about disturbed project areas, such as staging yards and patrol road extensions, and noted the need to restore these disturbed areas and revegetate with native seed.

3.3 Invasive Species Maintenance and Monitoring

Four comments noted concerns about the presence of invasive species, such as tamarisk, in areas disturbed by border barrier construction. Commenters recommended removing invasive species and revegetation with native plants.

3.4 Erosion Concerns

Two comments addressed the need to implement erosion control measures. Commenters recommended to use the natural contour of the land to direct water and to use native vegetation to prevent erosion.

3.5 Low Water Crossings

Two comments expressed concerns about the integrity of low water crossings and drainages. Commenters recommended to replace flood gates with vehicle barrier to allow for wildlife migration.

3.6 Lighting and Light Pollution

One comment expressed concern about the impacts of lighting installation on wildlife. The commenter recommended removing lighting or lowering its intensity.

3.7 Restoration of Access Roads



Four comments stated that newly constructed border access roads should be decommissioned and restored and widened roads should be narrowed and revegetated. Some commenters also suggested to discontinue grading paved roads.

3.8 Impacts to Cultural Resources

Three comments addressed impacts to cultural resources. One commenter recommended conducting damage assessments on cultural sites and evaluating sites for inclusion into the National Register of Historic Places.

4. Next Steps

Stakeholder feedback collected during the public comments period and during regular consultations with Federal partners will inform project planning and execution. Stakeholder feedback will also inform the development of the Scope of Work for the close-out and remediation projects.

APPENDIX A: Notification Materials



**U.S. Customs and
Border Protection**

April 21, 2022

SUBJECT: Yuma Sector Proposed Remediation Actions Associated with the Construction of Border Barrier

To Whom it May Concern:

U.S. Customs and Border Protection (CBP) is seeking your input on proposed remediation actions associated with the construction of border barrier in Imperial County, California and Yuma County, Arizona within the U.S. Border Patrol (USBP) Yuma Sector.

As directed by the Secretary of Defense, all border barrier construction projects funded by Department of Defense have been canceled. The Department of Homeland Security (DHS) has been assessing the status and condition of border barrier project sites and working closely with the Department of the Interior to determine the scope and extent of remediation work. More information concerning the proposed remediation work in the Yuma Sector is included in the enclosed Yuma Sector Remediation Plan at: www.cbp.gov/about/environmental-management.

DHS intends to prioritize funding on those remediation projects that are needed to address life and safety, including the protection of the public, USBP agents, and nearby communities from potential harms, and avert further environmental damage or degradation.

CBP would like your feedback on the Yuma Sector Remediation Plan. Specifically, CBP is seeking input and information to the following questions:

- Are there any other immediate actions that are needed to address life and safety issues, including the protection of the public, Border Patrol agents, and nearby communities from potential harms, and avert further environmental damage or degradation as a result of border barrier construction since 2019?
- What are the highest priority actions?
- Are there best practices the remediation contractor should follow when implementing these activities?

CBP is accepting comments until Friday, May 20. Comments can be submitted on the StoryMap at www.cbp.gov/about/environmental-management or emailed to CBP at YumaComments@cbp.dhs.gov. Please include "Yuma Remediation Plan Comments" in the subject of your email. Comments received in by CBP, including names and addresses of those who comment, will become a part of the public record.

You may also provide comments, questions, or concerns by calling 1-800-514-4781 or by mail:

U.S. Customs and Border Protection
U.S. Border Patrol Headquarters
1300 Pennsylvania Ave. 6.5E Mail Stop 1039
Washington, D.C. 20229-1100

We appreciate your feedback and help with prioritizing potential remediation activities.

Respectfully,

A handwritten signature in blue ink that reads "Paul Enriquez". The signature is written in a cursive style with a large initial "P".

Paul Enriquez
Real Estate and Environmental
Infrastructure Portfolio Deputy Director
Program Management Office Directorate
U.S. Border Patrol



Yuma Sector Border Barrier Remediation Plan

Background

On June 11, 2021, the Department of Defense (DoD) and Department of Homeland Security (DHS) completed plans for the redirection of funds concerning the southern border barrier, as directed by Presidential Proclamation No. 10142. As directed by those plans, DoD has canceled all undertaken border barrier projects funded by 10 U.S.C. § 284 Counter Narcotics (DoD 284 projects), and DHS will not undertake any new border barrier construction on the former 284 projects.

On December 20, 2021, DHS authorized CBP to move forward with activities necessary to address life, safety, environmental and remediation requirements for the DoD 284 projects. The activities will be undertaken utilizing DHS Fiscal Year 2021 border barrier appropriations.

Since the termination of the DoD 284 projects, DHS has been working to implement the remediation component of its Plan, including assessing the status and conditions of the project sites to determine the scope and extent of remediation work. DHS intends to prioritize funding on those remediation projects needed to address life and safety, including the protection of the public, U.S. Border Patrol (USBP) agents, and nearby communities from potential harms, and avert further potential environmental damage or degradation. Within Yuma Sector, border barrier projects were also funded by 10 U.S.C. § 2808 Military Construction (DoD 2808 projects). This plan does not include remediation activities for DoD 2808 projects. CBP's remediation of the DoD 2808 project areas will be addressed separately. This plan summarizes the remediation activities anticipated in the USBP's Yuma Sector for DoD 284 projects.

Project Location

Prior to the cancellation of the DoD 284 projects, there were approximately 15 miles of non-contiguous new border barrier planned for construction within the Yuma Sector. Segments located in California and Arizona exist within the Roosevelt Reservation. An overview of the DoD 284 project segments can be found at: www.cbp.gov/about/environmental-management.

Proposed Activities

In the USBP Yuma Sector project segments, remediation activities will include, but not be limited, to the following:

1. Erosion control measures: Short-term and long-term erosion control measures will include installation of rip rap and other embankment/slope stabilization along slopes and drainages.
2. Completion of safety work on border and access roads: Work will include slope paving and associated erosion control in areas with steep slopes. Roads through Federal lands will be repaired or restored in accordance with previously established agreements with Federal land managers. CBP will work with USBP and other relevant agencies to determine which construction roads will be retained and which will be decommissioned. In some areas, the roadbed has been risen along the border so that a four foot drop off was left between the border wall and road's edge. Railings will be added in these areas for safety. In addition, trenches were left along the alignment which will be filled. Finally, extra materials and excess soil piled along the alignment will be cleared.
3. Revegetation of disturbed areas: Remediation will include reseeding staging areas and vehicle turn-arounds in accordance with the specifications provided by Federal land managers.
4. Drainage completion and/or repair: All drainage crossings will be protected by appropriate measures such as, but not limited to, articulated concrete block, concrete pavement, inlets/outlets, culverts, roadside ditches, debris posts, or a combination thereof.
5. Implementation of Stormwater Pollution Prevention Plan and Best Management Practices: Activities will include removal of sediment from drainages, removal of temporary structures from waterways, and installation of wattle and silt fencing to prevent accumulation of sediment in waterways.
6. Bollards capped: Bollards will be capped.



7. Invasive Species: CBP will take steps to control or mitigate invasive species.
8. Remove construction equipment and materials: CBP will remove construction equipment and materials from the project areas.
9. Based on CBP's assessment of the DoD 284 project areas, CBP does not believe that it will be required to backfill open trenches or install cattle guards. However, CBP may take such actions, as appropriate, if site conditions show them to be necessary.
10. Complete and repair automated vehicle gates and associated foundation work.

More detailed information concerning the proposed remediation activities, including proposed project locations, can be found at: www.cbp.gov/about/environmental-management.

Proposed Schedule

Beginning in April 2022, CBP will hold a 30-day comment period to collect input and information from the public on this Yuma Sector Remediation Plan. Feedback from the public will be reviewed and incorporated into direction to the contractors or formal contract modifications. Following the comment period, CBP will award remediation contracts in Fall 2022 and work is estimated to begin as soon as 30-60 days following awards. It is anticipated that remediation work will take approximately 12-28 months. ♻️